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PENTAGON FOR USAF/XONP  
HQ USAF FOR A3SPI

E.O. 12958: DECL: 08/01/2018  
TAGS: FAIR PREL SNAR KREC MARR MOPS PE  
SUBJECT: ACTION REQUEST: RESOLVING PERU AIRPORT FEES BACKLOG

REF: A. 06 LIMA 2226 AND PREVIOUS

¶B. 06 STATE 84126

Classified By: Ambassador P. Michael McKinley, reasons 1.4 a & d

¶11. (U) This is an action request from the Ambassador, please see para 5.

¶12. (C) We have been in dialogue with Washington agencies for several years (Ref A and subsequent e-mails) to resolve charges for landing, parking and other user fees for official USG aircraft at Peruvian airports. These fees have accrued for the Lima and other airports that have been concessioned to private companies, as well as for GOP-run airports. The GOP maintains the concessioned airports are not government airports, and the Embassy cannot meet the GOP's documentary requirements for exonerating official flights from the fees at the GOP-run airports. The current backlog of charges totals over \$1.2 million. The MFA and the airports have repeatedly requested payment or resolution of this backlog, including through diplomatic notes. We would like to resolve the backlog as soon as possible to avoid possible disruptions of USG flights at Peruvian airports.

¶13. (C) In May 2006 (Ref B), Department authorized Embassy to resolve the backlog of fees at the Lima airport through a diplomatic note stressing the USG position not to pay these fees for official aircraft at government airports and citing our bilateral counternarcotics agreement which exonerates USG for payment of these and other fees for counternarcotics-related flights. Embassy transmitted the diplomatic note on May 25, 2006 (copy of this and other diplomatic notes available from WHA/AND or from Embassy ECON MandojanaMC@state.gov). The MFA then paid the fees for the listed flights, successfully eliminating the backlog existing (for the Lima airport only) up through May 23, 2006 at no cost to the USG and in a manner consistent with the U.S. interest.

¶14. (C) The MFA has offered the same solution for the current backlog, saying it would look favorably on a diplomatic note that says that, to the best of our knowledge, the flights in question were counternarcotics related.

¶15. (U) ACTION REQUEST: We request permission to respond to the MFA's most recent diplomatic note with a diplomatic note similar to our May 25, 2006 note, in order to resolve the current backlog of fees for all Peruvian airports. We appreciate Department's continued assistance on these matters.

MCKINLEY